

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONXCalendar # 19
325 (d) _____

MARISOL JAVIER, ET AL.

Plaintiff(s),

PRELIMINARY CONFERENCE ORDER

Pursuant to Part 202 of the Uniform Civil
Rules for the Supreme Court

- against -

HYDE LEADERSHIP CHARTER SCHOOL
ET AL

Defendant(s),

HON. LAURA POWERS

Preliminary Conference Part

Index Number 25643/2015Conference Date 2-25-16

APPEARANCES:

Plaintiff: JAVIER

Firm: JOSEPH A. MARIA PC

By Attorney: EDWARD A. FREY

Phone: 914-684-0333

Carrier: _____ Phone: _____ Coverage Amount: _____

Defendant 1: HYDE LEADERSHIP, PETER ANDERSON, JANE DOE

Firm: CORNELL GRACE

By Attorney: BRADLEY WILSON

Phone: 212-233-1100

Carrier: TBP Phone: _____ Coverage Amount: _____

Defendant 2:

Firm: _____

By Attorney: _____ Phone: _____

Carrier: _____ Phone: _____ Coverage Amount: _____

Defendant 3:

Firm: _____

By Attorney: _____ Phone: _____

Carrier: _____ Phone: _____ Coverage Amount: _____

I INSURANCE
COVERAGE:☒ To be furnished within 60 days.II BILL OF
PARTICULARS:

- ☒ 1. Not submitted: Bill of Particulars to be served by PT to RESPOND TO A DEMAND FOR BP 11/9/15 BY 4/2/16
- ☐ 2. Served: ☐ 2(a). Satisfactory ☐ 2(b). Unsatisfactory
- ☐ 3. Supplemental bill of particulars to be served _____
- ☐ 4. Bill of particulars for affirmative defenses to be served _____

III MEDICAL REPORTS
AND HOSPITAL
AUTHORIZATIONS:

- ☐ 1. Furnished (Except: _____)
- ☒ 2. Medical reports or authorizations for records to be served 30 DAYS
- ☒ 3. Hospital authorizations to be served 60 / IN 30 DAYS

IV PHYSICAL
EXAMINATION:

- ☐ 1(a). Held ☐ 1(b). Waived
- ☒ 1(c). Examination of PT
To be held W/IN 45 days of completion of
Defendant to designate physician(s) within 21 days of plaintiff's EBT
- ☐ 2(a). Physician's report furnished
- ☐ 2(b). Copy of physician's report to be furnished to plaintiff
within 45 days of examination.

PRELIMINARY CONFERENCE ORDER

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- V **EXAMINATION BEFORE TRIAL:** ☒ 1. Plaintiff ☒ Defendants ☐ All parties
☒ 2. To be held at TBD
Date: from 6/16/16 Time: TBD
☐ 3. Held (Except: _____) ☐ Waived
DEPOSITION ON 6/23/16
- VI **OTHER DISCLOSURE:** ☐ 1. None
☒ 2. All parties to exchange names and addresses of all witnesses, opposing parties' statements, and photographs. If none, an affirmation to that effect shall be exchanged.
☒ 3. Authorizations for plaintiff's employment records (IRS) including W-2 for period 2 years prior to
DATE OF INCIDENT
☒ 4. AUTHORIZATIONS FOR SCHOOL RECORDS,
HYPER LEADERSHIP + IT'S CURRENT
ELEMENTARY SCHOOL
☒ 5. To be completed within 4/1W 30 DAYS
- VII **IMPLEADER ACTIONS:** ☐ 1(a). None ☒ 1(b). To be commenced 60 days after all EBT's.
- VIII **DESIGNATED FOR TRANSFER:** ☐ 1(a). CPLR 325 (c)
☐ 1(b). CPLR 325 (d)
- IX **ADDITIONAL DIRECTIVES:** ☒ See attached page for additional directives
- X **ALL PARTIES:** Are directed to complete discovery on or before 8/25/16 and appear for a compliance conference on 8/25/16.

Any statutory stays of disclosure due the pendency of motions pursuant to CPLR 3211, 3212 and 3213 are vacated.

Counsel will be required to justify, at the Compliance Conference, failure to adhere to the discovery schedule set forth herein.

In the event of non-compliance, costs or other sanctions may be imposed.

This constitutes the decision and order of this court.

Dated: 2/25/16

Enter: J.S.C.

LAURA G. DOUGLAS
Justice, Supreme Court

Parties must adhere to all dates contained herein relating to the completion of items in this order. Counsel may not enter into any adjournments without further order of this court.

DISCOVERY ORDER

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X. ADDITIONAL DIRECTIVES:

IT TO RESPOND TO A COMBINED
DEMANDS DATED 11/9/15 ON OR BEFORE
4/29/16

IT TO RESPOND TO A DEMAND FOR BILL OF
PARTICULARS DATED 11/9/15 ON OR
BEFORE 4/29/16

X. ADDITIONAL DIRECTIVES

PC Worksheet

19

Date: 2/25/2016

Part: PC

0025643/2015

JAVIER, MARISOL

vs.

HYDE LEADERSHIP CHARTER

SCHOOL=====

Assigned Justice:

HON. LIZBETH GONZALEZ

Attorney for Plaintiff:

JOSEPH A. MARIA, ESQ.

Attorney for Defendant:

CORNELL GRACE, P.C.

Complexity:

Standard

Action Type:

E-FILED OTHER TORTS

Identify Following Action Types Product Liability __ Labor Law __ Lead Paint __ Other
Malpractice

RJI Filing Date:

1/11/2016

PC to be held by:

2/25/2016

PC Held:

CC to be held by:

11/6/2016

Discovery Due Date:

1/10/2017

NOI Filing Date:

Case Status:

Active

Open Motion:

(If open motion indicator, "Y", is displayed, please indicate
nature and submission date of motion.)